



**Talbot County Planning Commission**  
**Final Decision Summary**  
Wednesday, March 2, 2022 at 9:00 a.m.  
Virtual Meeting

**Archived audio of the meeting is available at:**

[Talbot County Meeting Videos - Talbot County, Maryland](https://www.talbotcountymd.gov)  
(talbotcountymd.gov)

**Attendance:**

Commission Members:

Phillip “Chip” Councill, Chairman  
Michael Strannahan, Vice Chairman  
Lisa Ghezzi  
William Boicourt  
Paul Spies

Staff:

Miguel Salinas, Planning Officer  
Brennan Tarleton, Assistant Planning Officer  
Elisa Deflaux, Planner II  
Andy Meehan, Planning Commission Counsel  
Mike Mertaugh, Assistant County Engineer  
Bryce Yelton, Planner II

**1. Call to Order**—Commissioner Councill called the meeting to order at 9:10 am.

**2. Decision Summary Review**—

February 2, 2022 - The Commission noted the following correction to the draft decision summary:

Line 81- Commissioner Strannahan moved that the Planning Commission recommend approval of Minor Variance # MV63 for Jeffrey and Deirdre Johnson at 5521 Anderby Hall Road, Royal Oak, Maryland subject to staff conditions and the following two additional conditions; 1. The pool shall be no larger than it is proposed on the plan. The pool and all related features of the pool shall exist no further into the 100-foot shoreline buffer than what is granted. 2. The applicant shall comply with and address all Critical Area comments and standards, including the completion of a Buffer Management Plan that complies with requirements of the Critical Area law. Commissioner Boicourt seconded the motion.

**Commissioner Strannahan moved to approve the February 2, 2022 Decision Summary with amendments. Commissioner Ghezzi seconded the motion.**

<u>Vote</u>	<u>5-0</u>
FOR:	0- Councill, Strannahan, Boicourt, Ghezzi, Spies
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

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**3. Old Business—**

**\* Please note that sequence was change at the meeting and this application was reviewed after 4D.\***

- a. Applicant:** Talbot County
- File No.:** Resolution 313, Amendment No. 1
- Request:** Consideration of consistency with the Talbot County Comprehensive Plan
- Project:** Amendment No. 1 to Resolution No. 313; a Resolution to amend the Talbot County Comprehensive Water and Sewer Plan regarding the connection of Phase 1 and Section 1 of the Lakeside project to the existing Trappe Wastewater System

**Commissioner Ghezzi moved that the Planning Commission, in consideration of all factors known to the Commission, the impact on Talbot County, and consideration of the Planning Commission’s finding on November 3, 2021; certify that Amendment No. 1 to Resolution No. 313 introduced to the County Council on January 25 2022, is consistent with the 2016 Talbot Comprehensive Plan. Commissioner Boicourt seconded the motion.**

<u>Vote</u>	<u>4-1</u>
FOR:	0- Councell, Strannahan, Boicourt, Ghezzi
AGAINST:	1- Spies
ABSTAIN:	0
ABSENT:	0

**Commissioner Councell requested that Miguel Salinas work with Andy Meehan to forward this information to the County Council including the vote and a summary of the comments and concerns from all five of the Commissioners**

**4. New Business—**

- a. Applicant:** SolHarvest Energy, LLC
- File No.:** Appeal No. 22-1736
- Agent:** Zachary Smith, Armistead, Lee, Rust & Wright, P.A.
- Request:** Special Exception to permit the development of a large scale solar energy system to occupy approximately 18 acres with additional areas being utilized for access and required screening.
- Location:** 12216 Cordova Road, Cordova, Maryland 21625  
Map 05, Grid 24, Parcel 38 & 113
- Zoning:** VM

The applicant is seeking a recommendation to the Board of Appeals for a Special Exception to utilize two parcels, P. 113 and P. 38, to install approximately 18 acres of solar panels (2

MW) for a solar energy system and provide screening and a designated access point for the panels. Should the Planning Commission approve the Sketch Major Subdivision, staff recommends the following conditions:

1. Construction be commenced and diligently pursued toward completion within 18 months of the date on which the Special Exception is approved.
2. The application is required to obtain a major site plan approval and prepare a screening plan acceptable to the Planning Commission.

**Staff Presentation:**

Elisa Deflaux, Planner II

**Applicant Presentation:**

John Forgash, SolHarvest Energy

Zachary Smith, Armistead, Lee, Rust & Wright, P.A.

Brett Ewing, Lane Engineering LLC

**Public Comment**— None

**Commissioner Spies moved that the Planning Commission make a favorable recommendation to the Board of Appeals to approve the Special Exception for Appeal # 22-1736, to install a solar panel project for SolHarvest Energy, LLC, subject to staff conditions. The Commission also recommended that to minimize the loss of agricultural operations, modifications to the location and/or configuration of the proposed facility (within the confines of the subject property) may be made relative to what is shown on the site plan exhibit submitted with the Special Exception application, provided, however, the final location and configuration shall be approved by the Planning Commission during the site plan review process. Commissioner Ghezzi seconded the motion. The motion carried unanimously.**

Vote	5-0
FOR:	0- Councill, Strannahan, Boicourt, Ghezzi, Spies
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

- b. Applicant:** Gannon Family LLC  
**File No.:** M1174  
**Agent:** Brett Ewing, Lane Engineering LLC  
**Request:** Sketch Major Subdivision.  
**Location:** Lee Haven Rd, Easton, MD 21601  
Map 34, Grid 8, Parcel 10, Lot 10  
**Zoning:** RC/WRC

The applicant is seeking Planning Commission approval of a Major Subdivision- Sketch

146 Plan to: 1) revise Tax Parcel 10, Lot 10 to establish it as a waterfront building lot, 2)  
147 subdivide former Lot 10 to create Lots 12, 13, 14 as new waterfront building lots, and 3)  
148 establish a new private road to serve the 4 lots. As a result of this subdivision, the entire  
149 remaining critical area portion of Revised Tax Parcel 10 (formerly Lot 10) will become a  
150 remaining lands parcel with no remaining critical area development rights. Should the  
151 Planning Commission approve the Sketch Major Subdivision, staff recommends the  
152 following conditions:

- 153
- 154 1. The applicant shall comply with and address all outstanding issues and comments  
155 from the February 9, 2022 TAC meeting, including all comments provided by the  
156 Critical Area Commission, prior to Preliminary Plat Submittal.
  - 157
  - 158 2. The applicant shall provide a Type E: Streetyard Landscaping Plan, should the Planning  
159 Commission find the street trees along the new private road are warranted.
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161 **Staff Presentation:**

162 Elisa Deflaux, Planner II

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164 **Applicant Presentation:**

165 Greg Gannon

166 Brett Ewing, Lane Engineering LLC

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168 **Public Comment—** Matthew Wills

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170 **Commissioner Strannahan moved that the Planning Commission approve # M1174**  
171 **Major Subdivision – Sketch Plan with waivers for Leehaven Subdivision, Gannon**  
172 **Family, LLC subject to staff conditions with exception of the Streetyard Landscaping**  
173 **Plan. Commissioner Ghezzi seconded the motion.**

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175	<u>Vote</u>	<u>5-0</u>
176	FOR:	0- Councell, Strannahan, Boicourt, Ghezzi, Spies
177	AGAINST:	0
178	ABSTAIN:	0
179	ABSENT:	0

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- 181 **c. Applicant:** Marc Duffy –**Postponed**
- 182 **File No.:** SP636
- 183 **Agent:** Chris Waters, Davis Bowen and Friedel
- 184 **Request:** Major Site Plan and Waivers —Construction of driveway,  
185 accessory structure and equipment to support the operation  
186 of an aquaculture oyster farm
- 187 **Location:** 8311 Diamondback Cove Rd, Easton, MD 21601  
188 Map 33, Grid 08, Parcel 081
- 189 **Zoning:** RC/CAO
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- 191 **d. Applicant:** J Andy Shaw, Contact Purchaser

192                           **File No.:**     MV65  
 193                           **Agent:**       Brett Ewing, Lane Engineering LLC  
 194                           **Request:**     Minor Variance  
 195                           **Location:**    Leeds Landing Road, Easton, MD 21601  
 196    Map 24, Parcel 213  
 197                           **Zoning:**      VR/CAO

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 199           The applicant is seeking Planning Commission recommendation of approval to the  
 200           Planning Officer for construction of a single family dwelling on an unimproved lot by  
 201           requesting three non-critical area Minor Variances: 1) a variance to encroach  
 202           approximately 36 feet into the required 254-foot front yard setback, 2) a variance to  
 203           encroach approximately 2 feet into the required 20-foot side yard setback on the east side  
 204           of the lot, and 3) a variance to encroach approximately 2 feet into the required 20-foot  
 205           side yard setback on the west side of the property. Should the Planning Commission  
 206           recommend approval of the Minor Variance, staff recommends the following conditions:  
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- 208           1. The applicant shall make an application to the Office of Permits and Inspections, and  
 209           follow all rules, procedures, and construction timelines as outlined regarding new  
 210           construction.
  
- 211           2. The applicant shall commence construction of the proposed improvements within  
 212           eighteen (18) months from the date of the Planning Office’s “Notice to Proceed”.  
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214           **Staff Presentation:**  
 215           Elisa Deflaux, Planner II  
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217           **Applicant Presentation:**  
 218           Brett Ewing, Lane Engineering LLC  
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220           **Public Comment**— None  
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222           **Commissioner Ghezzi moved that the Planning Commission recommends**  
 223           **consideration of approval to the Planning Officer of Minor Variance # MV65 for**  
 224           **Barry Elizabeth Brinker for the vacant lot at Map 24, Parcel 213 subject to staff**  
 225           **conditions. Commissioner Strannahan seconded the motion.**  
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227	<u>Vote</u>	5-0
228	FOR:	0- Councill, Strannahan, Boicourt, Ghezzi, Spies
229	AGAINST:	0
230	ABSTAIN:	0
231	ABSENT:	0

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 233           **5. Discussion Items**  
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- 235           **a.** Resolution 308 - A Resolution to rescind adoption of Resolution No. 281, a Resolution  
 236           to amend the Talbot County Comprehensive Water and Sewer Plan (the "Plan") to  
 237           reclassify and remap portions of certain real property located in the Town of Trappe,

238 Maryland, associated with the Lakeside Planned Unit Development (the "Lakeside  
239 Project") (formerly known as "Trappe East"), further described as Tax Map 54, Parcel  
240 304; Tax Map 55, Parcels 14, 15, 17, 19, 44, 65, 83, and 85; and Tax Map 59, Parcel 4,  
241 the total area consisting of eight hundred sixty-five acres, more or less (the "Property"),  
242 from "S-2" and "W-2" (areas where improvements or extensions to existing, or  
243 construction of new community, multi-use, or shared sanitary facilities are programmed  
244 for progress within three to five years) to "S-1" and "W-1" (areas served or to be served  
245 by community, multi-use, or shared sanitary facilities which are existing, under  
246 construction, or have immediate priority status); to amend the Plan to add certain water  
247 and sewer capital projects related to the Lakeside Project and existing systems for the  
248 fiscal years 2020 through 2030; and to amend the Plan to update the narrative description  
249 in the Plan relative to the Lakeside Project and existing systems, as amended, without  
250 prejudice.

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252 **Commissioner Ghezzi moved that the Planning Commission make a recommendation**  
253 **to the County Council to withdraw Resolution 308; in effort to move forward for all**  
254 **parties involved that hopefully there is a compromise to be reached or at least to be**  
255 **discussed moving forward as suggested by Resolution 313 as amended Commissioner**  
256 **Strannahan seconded the motion**

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258	Vote	5-0
259	FOR:	0- Councill, Strannahan, Boicourt, Ghezzi, Spies
260	AGAINST:	0
261	ABSTAIN:	0
262	ABSENT:	0

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- 264 **6. Staff Matters—**
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- 266 **a.** Staff was pleased to announce that the Planning and Zoning Department will be  
267 launching a new online application portal. Applications will be required to be  
268 submitted electronically starting Monday, March 7, 2022. The conversion to an online  
269 permitting system is consistent with the Department’s ongoing strategic planning  
270 efforts centered on innovation, efficiency, and transparency.
  - 271
  - 272 **b.** The Planning Commissioners have become comfortable with viewing the applications  
273 online and through Granicus. To assist the Planning and Zoning Department in its  
274 efficiency strategy and an effort to be more environmentally conscious, the Planning  
275 Commissioners have decided that they will no longer require the delivery of paper  
276 copies. Staff will bring one paper copy to future meetings.

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- 278 **7. Work Sessions—**
- 279 Mr. Salinas reminded Commissioners of the February 22, 2022 Virtual Joint Work  
280 Session regarding large-scale solar energy systems. Following the meeting, the County  
281 Council directed staff to draft a moratorium on large-scale solar energy system projects.

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283 **Public Comment—** John Forgash, SolHarvest Energy

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**8. Commission Matters—**

- a. The April Planning Commission agenda will consist of at least two applicant-proposed text amendments and a number of proposed amendments to the Comprehensive Water and Sewer Plan.

**9. Adjournment**– Commissioner Councill adjourned the meeting at 12:40 pm.